

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CRIMINAL NO. <u>24-mj-8072-GCS</u>
)	
vs.)	Title 18
)	United States Code
BRANDON S. MILLER,)	Sections 922(a)(6), 924(a)(2), 932,
KAMRON M. JOHNSTON,)	933
)	
Defendant.)	

CRIMINAL COMPLAINT

I, Christopher Stanley, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief:

COUNT 1

CONSPIRACY TO COMMIT STRAW PURCHASING OF FIREARMS

Between on or about November 16, 2022 and about January 20, 2024, in St. Clair County, Illinois, within the Southern District of Illinois,

BRANDON S. MILLER, JR. & KAMERON M. JOHNSTON

did knowingly purchase firearms, in or otherwise affecting interstate or foreign commerce for, on behalf of, or at the request or demand of **BRANDON S. MILLER, JR.**, knowing or having reasonable cause to believe that **BRANDON S. MILLER, JR.** intended to use, carry, possess or sell or otherwise dispose of the firearm in furtherance of a felony, Illegal Possession of a Machinegun, in violation of 18 U.S.C. 922(o), or did conspire to do so, in violation of Title 18, United States Code, Sections 932(b)(2) and 932(c)(2).

COUNT 2

FALSE STATEMENT DURING PURCHASE OF A FIREARM

On or about the 25th day of April, 2023, in the Southern District of Illinois, the defendant,

KAMERON M. JOHNSTON

in connection with the acquisition of a firearm, a Glock 20, 10 mm pistol bearing S/N BXZL111, from a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code,

knowingly made a false and fictitious written statement to the licensed dealer, which statement was intended and likely to deceive the dealer, as to a fact material to the lawfulness of such sale of the said firearm to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of said firearm; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 3
TRAFFICKING IN FIREARMS

Between on or about the 25th day of April, 2023 and April 28, 2023, in the Southern District of Illinois, the defendant,

BRANDON S. MILLER, JR.

did receive from another person, in or otherwise affecting interstate or foreign commerce, a firearm, to wit: a Glock model 20, 10 mm pistol bearing S/N BXZL111, knowing or having reasonable cause to believe that such receipt would constitute a felony, in violation of Title 18, United States Code, Sections 933(a)(2) and 933(b).

COUNT 4
FALSE STATEMENT DURING PURCHASE OF A FIREARM

On or about the 15th day of September, 2023, in the Southern District of Illinois, the defendant,

KAMERON M. JOHNSTON

in connection with the acquisition of a firearm, a Glock 35 .40 Smith & Wesson caliber pistol bearing S/N YTR170, from a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to the licensed dealer, which statement was intended and likely to deceive the dealer, as to a fact material to the lawfulness of such sale of the said firearm to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of said firearm; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 5
TRAFFICKING IN FIREARMS

Between on or about September 5, 2023, and September 19, 2023, in St. Clair County,

Illinois, within the Southern District of Illinois,

BRANDON S. MILLER, JR.

did receive from another person, in or otherwise affecting interstate or foreign commerce, a firearm, to wit: a Glock model 35, .40 Smith & Wesson caliber pistol bearing S/N YTR170, knowing or having reasonable cause to believe that such receipt would constitute a felony, in violation of Title 18, United States Code, Sections 933(a)(2) and 933(b).

COUNT 6

FALSE STATEMENT DURING PURCHASE OF A FIREARM

On or about the 8th day of December, 2023, in the Southern District of Illinois, the defendant,

KAMERON M. JOHNSTON

in connection with the acquisition of a firearm, a Glock 21 pistol chambered in .45ACP bearing S/N UNZ518, from a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to the licensed dealer, which statement was intended and likely to deceive the dealer, as to a fact material to the lawfulness of such sale of the said firearm to the defendant under chapter 44 of Title 18, in that the defendant represented that he was the actual transferee/buyer of said firearm; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 7

STRAW PURCHASING OF FIREARMS

Between on or about the 30th day of November, 2023 and the 13th day of December, 2023, in the Southern District of Illinois, the defendant,

KAMERON M. JOHNSTON

did knowingly purchase a firearm, to wit: a Glock 21 pistol chambered in .45 ACP bearing S/N: UNZ518, in or otherwise affecting interstate or foreign commerce for, on behalf of, or at the request or demand of **BRANDON S. MILLER, JR.**, knowing or having reasonable cause to believe that **BRANDON S. MILLER, JR.**, intended to use, carry, possess or sell or otherwise dispose of the firearm in furtherance of a felony, Illegal Possession of a Machinegun, in violation

of 18 U.S.C. 922(o), in violation of Title 18, United States Code, Sections 932(b)(2) and 932(c).

AFFIDAVIT

1. As an ATF Special Agent, I investigate violations of federal and state firearms laws and other crimes involving the use, possession and trafficking of firearms, including violent crime and drug crime. I began employment with ATF in 2014. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code (U.S.C), and am empowered by law to conduct investigations and to make arrests for firearms offenses enumerated in Title 18 and the National Firearms Act (NFA).
2. I have been a law enforcement officer for approximately 19 years. From 2004 -2014, I was employed as police officer with the Swansea Police Department. As a detective in Swansea, I investigated a wide variety of criminal offenses, including offenses involving homicide, stolen property, fraud, controlled substance and firearms. I was a member of the Major Case Squad of the Greater St. Louis Metropolitan Area. I am familiar with, and use, the following methods of investigation: undercover operations, the use of informants and other sources of information, interviews of individuals involved in, or witnesses to, criminal activity, search and seizure warrants, and physical, visual and electronic surveillance.
3. I received training at the Federal Law Enforcement Training Center and the ATF National Academy prior to beginning employment with ATF. Prior to that I received training through the State of Illinois to serve as an Illinois Police Officer with the Swansea Police Department.
4. The facts alleged in this affidavit come from my own investigation, my training and experience, and information obtained from other investigators and witnesses. The information contained in this Affidavit is submitted for the sole purpose of demonstrating that probable cause exists for the issuance of a Criminal Complaint. Because this affidavit

is being submitted for that limited purpose, it does not contain all of the information known to your affiant and/or other law enforcement officers involved in this investigation. Rather, it contains only those facts which I believe are necessary to establish the requisite probable cause for the requested Complaint.

5. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe **BRANDON S. MILLER** (hereinafter "**MILLER**") and **KAMERON M. JOHNSTON** (hereinafter "**JOHNSTON**") committed violations of 18 U.S.C. § 932 (Conspiracy to Straw Purchase Firearms). There is probable cause to believe that **JOHNSTON** committed violations of 18 U.S.C. 922(a)(6) (False Statement During Purchase of a Firearm) and 18 U.S.C. 932(b) (Straw Purchasing of Firearms). There is probable cause to believe that **MILLER** committed violations of 18 U.S.C. 933(a) (Firearms Trafficking).
6. On January 20, 2024, the Swansea (Illinois) Police Department arrested **MILLER** following a traffic stop. When **MILLER** was pulled over by the Swansea officer, he was wearing a cross-body bag. When the officer asked **MILLER** to exit the vehicle, **MILLER** he removed his cross-body bag, struggled, fell-down, and wrestled with the officer. **MILLER** was able to break away from the officer's grip and then a brief foot chase ensued. **MILLER** was taken into custody without further incident as additional police officer arrived at the scene. Once **MILLER** was taken into custody, officers found a Glock model 20 pistol chambered in 10 mm, S/N: BXZL111 in the cross-body bag he had been wearing. **MILLER's** Glock 10 mm pistol had an installed machinegun conversion device (MCD). MCDs are small parts which can quickly and easily be installed on semi-automatic pistols to convert the firearms into fully automatic machineguns. MCDs are colloquially known as "Glock switches", "buttons", "sliders", and "fully pieces."
7. Officers retraced the path of the foot chase with **MILLER** and discovered the plastic bag containing an additional six (6) multi-colored machinegun conversion devices (MCDs),

which **MILLER** had discarded. Each of these toggle-style MCDs qualifies as a machinegun under 26 U.S.C. § 5845(b) as a “part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun.”

8. The Glock model 20 (10 mm), Serial #BXZL111 along with the 6 MCDs were transferred to ATF Special Agent Zach Green. S/A Green field tested the subject firearm and confirmed that it field functioned as a “machinegun” as that term is defined in Title 18 of the United States Code. Agents with the ATF will transfer the weapon and additional MCDs to the ATF FATD laboratory for further testing.
9. Swansea Police also seized a black iPhone from **MILLER**’s person at the time of his arrest.
10. Approximately four hours after **MILLER** was arrested, **JOHNSTON** entered the lobby of the Swansea Police Department, identified himself with his Illinois ID card and Illinois FOID card, and advised officers that his friend (**MILLER**) had been arrested with a firearm that belonged to him. **JOHNSTON** claimed that the Glock 20 belonged to him and that he left it in in **MILLER**’S vehicle after visiting a gun range. **JOHNSTON** identified his own phone number as 618-581-5927.
11. On January 22, 2024, **MILLER** was charged by the St. Clair County State’s Attorney’s Office with Possession of Machinegun/Automatic Weapon, Agg UUW- No CCW, and Resist/PC Off/Frfrtr/Corr Emp in case 24-CF-122. **MILLER** was subsequently released on bond.
12. Based upon the foregoing events, **MILLER** was also indicted in the Southern District of Illinois for Illegal Possession of a Machinegun in violation of 18 U.S.C. 922(o) on April 16, 2024 in case 24-CR-30054-SMY.
13. On January 23, 2024, Swansea Detective Frank obtained St. Clair County Search Warrant (24SWA0051) for **MILLER**’S iPhone seized during the traffic stop arrest on January 20, 2024. **MILLER**’s phone number was identified as 618-802-3231. On March 26, 2024,

Detective Frank was able to successfully extract data from **MILLER's** iPhone utilizing a GrayKey device and Cellebrite software.

14. Record checks revealed **MILLER** does not possess an Illinois Firearms Owners Identification (FOID) Card or Carry Concealed Weapon (CCW) permit. **MILLER** is currently 19 years old, and therefore ineligible for an Illinois FOID card unless sponsored by a FOID-eligible parent or legal guardian. Federal law prohibits individuals under the age of 21 from purchasing a handgun directly from a federal firearm licensee (FFL).
15. An ATF eTrace inquiry later confirmed that the Glock 20 pistol recovered from **MILLER's** cross-body bag was purchased during a multiple sale (#M20230223279) on April 28, 2023, by **JOHNSTON** at Ron & Jo's Firearms and Sporting Supplies II, Inc. in O'Fallon, IL.
16. Your affiant received an FTIP report from the Firearm Services Bureau of Illinois State Police, which shows every time that a Federal Firearms License (FFL) dealer completes a FOID check for a firearm purchase. **JOHNSTON's** FOID inquiry showed 13 successful handgun purchases between November 16, 2022, and December 13, 2023.
17. **JOHNSTON** completed an ATF Form 4473 on April 25, 2023, to purchase the Glock 20 pistol from Ron & Jo's bearing S/N: BXZL111. **JOHNSTON** checked the box "yes" for box 21(a) when the form inquired, "Are you the actual transferee/buyer of all the firearm(s) listed on this form and any continuation sheet(s) (ATF form 5300.9A)? Warning: you are not the actual transferee/buyer if you are acquiring any firearm(s) on behalf of another person. If you are not the actual transferee/buyer the licensee cannot transfer any firearm(s) to you."
18. Data from **MILLER's** phone extraction shows that on April 25, 2023, **MILLER** used his phone to send text messages to a contact saved as "Uncle Nuk3*" using phone number 618-960-2467. Outgoing text messages from **MILLER's** phone read: "Uncle", "Oh yeah, I bought a Glock 20 today", "10 mil," "Out store brand new."

19. Data from **MILLER's** phone extraction shows that on April 26, 2023, **MILLER** sent a text message to **JOHNSTON** asking, "U still need go to gun store"?
20. Data from **MILLER's** phone extraction shows that on April 27, 2023, **MILLER** sent text messages to **JOHNSTON** saying, "Kam"," Call up there nd check in".
21. Data from **MILLER's** phone extraction showed that on April 28, 2023, after the mandatory three-day waiting period for handgun purchases, **JOHNSTON** using phone number 618-581-5927 sent a text message to **MILLER** saying, "They say we can pick it up." Approximately one hour later, **MILLER** text **JOHNSTON**, "Finna be otw," "Ready?"
22. **JOHNSTON** completed the transaction for the Glock 20 bearing S/N BXZL111 at Ron & Jo's on April 28, 2023. Ultimately the same Glock 20 was recovered from **MILLER's** cross-body bag on January 20, 2024.
23. Data extracted from **MILLER's** phone shows that on June 15, 2023, **JOHNSTON** sent **MILLER** a text message, saying, "Take them switches off just in case they do come to me." **MILLER** responded, "Nah," "They not looking for our guns."
24. Data extracted from **MILLER's** phone shows that on June 15, 2023, shows **MILLER** sent a text message to **JOHNSTON** saying, "If I send u money would u be able order this." **JOHNSTON** replied, "Yes", "Order what"? **MILLER** said, "Look", "It's a Glock 22 Gen 3," "Look at price." **JOHNSTON** replied, "Ok." **MILLER** also told **JOHNSTON**, "U gone have ship it to a gun store."
25. Data extracted from **MILLER's** phone shows that on September 7, 2023, **MILLER** sent **JOHNSTON** a text message which read, "What day that Glock come in"? **JOHNSTON** replied, "They didn't send me the thing yet." **MILLER** responded, "My shipment would be here tomorrow." **JOHNSTON** informs **MILLER** that "the people" have not shipped the Glock yet. **MILLER** laments how slow the transaction has been, saying, "Dam man... I really needed it I would've sent it back." **MILLER** and **JOHNSTON** discussed ways to make money, including working as a Door Dash driver. Based upon other data from

MILLER's phone extraction, **MILLER** purchased and resold sold MCDs for profit. **MILLER** said, "I can help u my buttons just ain't touched," and **JOHNSTON** replied, "Ik." Your affiant believes this statement refer to MCDs which **MILLER** ordered, but had not yet "touched down" or arrived. Your affiant believes that **JOHNSTON** acknowledged this statement with the abbreviation for "I know."

26. On September 16, 2023, **JOHNSTON** completed an ATF form 4473 at Linnemann's Gun Shop to complete the transfer of a Guns.com order. **JOHNSTON** checked the box "yes" for box 21(a) when the form inquired, "Are you the actual transferee/buyer of all the firearm(s) listed on this form and any continuation sheet(s) (ATF form 5300.9A)? Warning: you are not the actual transferee/buyer if you are acquiring any firearm(s) on behalf of another person. If you are not the actual transferee/buyer the licensee cannot transfer any firearm(s) to you."
27. Data extracted from **MILLER's** phone shows that on September 19, 2023, **JOHNSTON** sent a text message to **MILLER** at 8:29 AM saying, "Wake up." **MILLER** responded at 8:51 AM, "I'm up." **JOHNSTON** replied five minutes later, "Ok they open." Then **MILLER** told **JOHNSTON** he needed gas money before saying at 9:10 AM, "On my way!"
28. **JOHNSTON** successfully completed the transfer of a Glock 35 pistol bearing serial number YTR170 from Linneman's Gun Shop in Millstadt on September 19, 2023.
29. Also on September 19, 2023, data extracted from **MILLER's** phone showed that a video was created on **MILLER's** phone at 10:36 AM. The video shows the left hand of an African American holding a Glock pistol with a metal MCD installed. As the person's hand turns the firearm, the serial number YTR170 is clearly visible on both the slide and the frame of the pistol.
30. Data extracted from **MILLER's** phone shows a text message conversation between **JOHNSTON** and **MILLER** that began on November 21, 2023, around at 9:26 PM.

MILLER sent **JOHNSTON** a hyperlink to a listing for a used Glock 21 pistol offered for sale on Guns.com. Around 11:19PM **MILLER** received a message from **JOHNSTON** containing what appears to be a user name for CashApp or another digital payment service, “Recclesskam.” **JOHNSTON** followed up with another text message to **MILLER** with the amount, “419.73,” followed by a Guns.com screenshot showing a checkout screen with a total of \$419.73 after taxes, fees, and processing. **MILLER** replied with two pictures showing the front and back of a Regions Bank Visa Debit card in the name “Brandon S. Miller Jr.” The debit card ends in numbers -8284. Immediately after sending pictures of the front and the back of the debit card, **MILLER** sent **JOHNSTON** a message saying, “Do it now with that card.” **JOHNSTON** replied, “Ok,” and then sent three screen shots showing confirmation of a Guns.com order number 866367 placed by customer Kameron **JOHNSTON** for a Glock 21 Gen 4 using a debit/credit card ending in -8284. The local pickup location, or FFL completing the transfer, was Linnemann’s Gun Shop in Millstadt, Illinois. **MILLER** sent **JOHNSTON** a text message saying, “Welcome to collection baby.” **JOHNSTON** responded, “lol”, “mine to”, “30.”

31. Data extracted from **MILLER**’s phone on November 30, 2023, shows a text conversation between **MILLER** and **JOHNSTON**. **JOHNSTON** sent **MILLER** a screenshot from Guns.com showing that a Glock 21 was ready for pickup (Linnemann’s Gun Shop, the local FFL). **MILLER** responded, “Whats that pawnshop called”? **JOHNSTON** replied, “Leamans”. **MILLER** replied, “We can do paperwork early tomorrow.” Then **MILLER** sent **JOHNSTON** a text message saying, “Wen I turn 21 imma put theses in my name.” Minutes later **MILLER** offered to **JOHNSTON**, “But for button pay me 100 I will get u any color u want,” and **JOHNSTON** replied affirmatively, “Bet.” **MILLER** then warned **JOHNSTON**, “Just make sure u take it off wen u riding around”. **JOHNSTON** replied, “I will.” **MILLER** further explained, “Yeah”, “See me ion gaf”, “Ik what come behind this sht.”

32. **JOHNSTON** completed an ATF Form 4473 on December 8, 2023, to transfer the Glock 21 pistol purchased from Guns.com bearing S/N: UNZ518. **JOHNSTON** checked the box “yes” for box 21(a) when the form inquired, “Are you the actual transferee/buyer of all the firearm(s) listed on this form and any continuation sheet(s) (ATF form 5300.9A)? Warning: you are not the actual transferee/buyer if you are acquiring any firearm(s) on behalf of another person. If you are not the actual transferee/buyer the licensee cannot transfer any firearm(s) to you.”
33. Data extracted from **MILLER’s** phone showed that on December 13, 2023 at 4:20AM **JOHNSTON** sent **MILLER** a text message saying, “He open at 9.”
34. On December 13, 2023, **JOHNSTON** successfully completed the transaction for the transfer of the Glock 21 pistol bearing S/N: UNZ518 from Linnemann’s Gun Shop in Millstadt, Illinois.
35. Illinois state law prohibits possession a firearm without a Firearm Owners Identification (FOID) card. 430 ILCS 65/2. Possession of a firearm by a FOID ineligible individual is a Class 3 felony under 430 ILCS 65/14(c)(3). FOID applicants must be over 21 years old, unless their FOID application is sponsored by a parent or legal guardian. 430 ILCS 65/4(a)(2). Such sponsorship requires, “that such parent or legal guardian is not an individual prohibited from having a Firearm Owner's Identification Card.” 430 ILCS 65/4(a)(2)(i).
36. **MILLER** was born September 3, 2004, and remains under age 21 until September 3, 2025. Therefore, he is ineligible for a FOID card unless sponsored by a parent or legal guardian. **MILLER’s** father, Brandon S. Miller, Sr. (D.O.B. 10/03/1982), is a convicted felon, having been convicted of Obstructing Justice on 08/15/2005, in St. Clair County, Illinois case number 05-CF-322. Convicted felons are ineligible for FOID cards, and therefore **MILLER’s** father is prohibited from sponsoring **MILLER** for a FOID card. 430 ILCS 65/4(2)(ii). **MILLER’s** mother, Tequila L. Wilson (D.O.B. 03/19/1985), also does not

have a FOID card. Wilson was convicted of a misdemeanor battery in St. Clair County, Illinois case number 18-CM-3028 on April 2, 2019. Anyone convicted of battery is FOID ineligible for five (5) years, so Wilson could not sponsor **MILLER** for a FOID card until after April 1, 2024. 430 ILCS 65/4(viii). **MILLER** has achieved the age of majority, and a search of family law records in St. Clair County, Illinois, **MILLER's** county of residence, showed that **MILLER** has not been appointed a legal guardian. **MILLER** did not have a legal guardian and both of **MILLER's** parents were prohibited from sponsoring him for a FOID card during the period relevant to ATF's investigation. Because **MILLER** does not have a **FOID** card and was not eligible to get a **FOID**, any possession or receipt of a firearm by **MILLER** prior to April 1, 2024, constituted a Class 3 Felony under Illinois State law.

37. Based on the above-described information, I have probable cause to believe that **BRANDON S. MILLER, JR.** and **KAMERON M. JOHNSTON** committed conspiracy to Straw Purchase firearms between November 22, 2022, and January 20, 2024, in violation of 18 U.S.C. 932(b)(2). I have probable cause to believe that **BRANDON S. MILLER, JR.** committed Trafficking in Firearms between April 25 and April 28, 2023, and on September 19, 2023, in violation of 18 U.S.C. 933(a)(2). I have probable cause to believe that **KAMERON M. JOHNSTON** committed False Statement During Purchase of Firearms on April 25, 2023, September 16, 2023, and December 8, 2023, in violation of 18 U.S.C. 922(a)(6) and probable cause to believe that **KAMERON M. JOHNSTON** committed Straw Purchasing of Firearms on December 13, 2023, in violation of 18 U.S.C. 932(b)(2).

38. The above-described events all occurred within the Southern District of Illinois.

FURTHER AFFIANT SAYETH NAUGHT.

CHRISTOPHER
STANLEY

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STANLEY
Date: 2024.05.15 15:58:53 -05'00'

CHRISTOPHER STANLEY
Special Agent
ATF

State of Illinois)
) SS.
County of St. Clair)

Sworn to before me, and subscribed in my presence, on the 16th day of May 2024, at
East St. Louis, Illinois.

Gilbert C
Sison



Digitally signed by
Gilbert C Sison
Date: 2024.05.16
09:25:10 -05'00'

GILBERT C. SISON
United States Magistrate Judge
Southern District of Illinois

RACHELLE AUD CROWE
United States Attorney



JOHN D. A. TRIPPI
Assistant United States Attorney